

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

DAWN MCDONALD, <i>et al.</i> ,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:10CV986 CDP
)	
CITY OF FLORISSANT, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

On January 31, 2011, defendants City of Florissant and Andrew Gerwitz filed a Motion to Compel discovery. On that same date the defendants made an Offer of Judgment according to Federal Rule of Civil Procedure 68. I later deemed the initial Offer of Judgment a nullity. On February 16, 2011, the defendants made a second Offer of Judgment, which was accepted that same date by plaintiffs Dawn McDonald and A.B. Because the second Offer of Judgment was accepted I will enter judgment in favor of the plaintiffs and deny the motion pending prior to that acceptance as moot.


Accordingly,

IT IS HEREBY ORDERED that plaintiff Dawn McDonald shall have judgment against the defendants, jointly and severally, in the amount of \$5,550.00 plus reasonable attorneys' fees and costs accrued as of February 16, 2011; and plaintiff A.B., by and through her Next Friend Dawn McDonald, shall have

judgment against the defendants, jointly and severally, in the amount of \$1,050.00, plus reasonable attorneys' fees and costs accrued as of February 16, 2011.

IT IS FURTHER ORDERED that the defendants' Motion to Compel [#28] is **DENIED AS MOOT**.

A separate judgment in favor of the plaintiffs will be entered this same date.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 24th day of February, 2011.